

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**DAMON CRAWFORD,**

**Case No. 3:14-cv-022**

**Petitioner,**

**Judge Thomas M. Rose**

**-v-**

**ERNIE MOORE, Warden,  
Lebanon Correctional Institution,**

**Respondent.**

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**ENTRY AND ORDER OVERRULING CRAWFORD'S OBJECTIONS  
(Doc. #5) TO THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATIONS (Doc. #3); OVERRULING CRAWFORD'S  
OBJECTIONS (Doc. # 9) TO THE MAGISTRATE JUDGE'S  
SUPPLEMENTAL REPORT AND RECOMMENDATIONS (Doc. #7);  
DISMISSING CRAWFORD'S PETITION FOR A WRIT OF HABEAS  
CORPUS WITH PREJUDICE; DENYING A CERTIFICATE OF  
APPEALABILITY AND CERTIFYING THAT ANY APPEAL WOULD BE  
OBJECTIVELY FRIVOLOUS**

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Pro se Petitioner Damon Crawford ("Crawford") has filed a Petition for a Writ of Habeas Corpus. Upon initial review pursuant to Rule 4 of the Rules Governing § 2254 cases, Magistrate Judge Michael R. Merz issued a Report and Recommendations (doc. #3) and a Supplemental Report and Recommendations (doc. #7) recommending that Crawford's Petition be dismissed with prejudice, that Crawford be denied a certificate of appealability and that the Court certify to the Sixth Circuit that any appeal of this Order would be objectively frivolous.

Crawford objected (doc. #5) to the Report and Recommendations and to the Supplemental Report and Recommendations (doc. #9). The Warden has not yet appeared and has not been served with Crawford's Objections. This matter is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the

District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Crawford's Objections to the Magistrate Judge's Report and Recommendations and Crawford's Objections to the Magistrate Judge's Supplemental Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and Recommendations and Supplemental Report and Recommendations are adopted in their entirety.

Crawford's Petition for a Writ of Habeas is dismissed with prejudice. Further, Crawford is denied a certificate of appealability and any appeal of this matter would be objectively frivolous. Finally, the captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

**DONE** and **ORDERED** in Dayton, Ohio this Twenty-Seventh Day of May, 2014.

s/**Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Damon Crawford at his last address of record